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TO: Commissioner for Patents – U.S. Patent Office

FAX NO.: (703) 872-9306

FROM: Kin-Wah Tong

DATE: 4/7/05

MATTER: Serial No. 09/924,022 Filed: 8/7/01

DOCKET NO.: ATT-020PUS (ATT 2000-0540)

APPLICANT: McNair

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

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| <input type="checkbox"/> Petition | <u>XX</u> Transmittal Letter (2 copies) |
| <input type="checkbox"/> Disclosure Statement & PTO-1449 | <input type="checkbox"/> Fee Transmittal (2 copies) |
| <input type="checkbox"/> Priority Document | <input type="checkbox"/> Deposit Account Transaction |
| <input type="checkbox"/> Drawings (<u> </u> sheets) informal | <u>XX</u> Facsimile Transmission Certificate |
| <input checked="" type="checkbox"/> Response to Office Action | dated |

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Signature and date

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PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/924,022

Filing Date

8/7/01

First Named Inventor

McNair

Art Unit

2681

Examiner Name

Temica M. Beamer

Attorney Docket Number

ATT-020PUS (ATT 2000-0540)

ENCLOSURES (check all that apply)

- Fee Transmittal Form
 Fee Attached
 Amendment / Reply
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Reply to Missing Parts/ Incomplete Application
 Reply to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
 Licensing-related Papers
 Petition
 Petition to Convert to a Provisional Application
 Power of Attorney, Revocation Change of Correspondence Address
 Terminal Disclaimer
 Request for Refund
 CD, Number of CD(s) _____
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- After Allowance Communication to TC
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s) (please identify below):
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MOSER, PATTERSON & SHERIDAN LLP

Signature

Printed Name

KIN-WAH TONG

Date

4/7/05

Reg. No.

39,400

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Typed or printed name

Kirby Turner

Date

4/7/05

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354681_1354681_1

PTO/SB/21 (08-04)

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First Named Inventor

McNair

Art Unit

2681

Examiner Name

Temica M. Beamer

Attorney Docket Number

ATT-020PUS (ATT 2000-0540)

ENCLOSURES (check all that apply) Fee Transmittal Form Drawing(s) Fee Attached Licensing-related Papers Amendment / Reply Petition After Final Petition to Convert to a Provisional Application Affidavits/declaration(s) Power of Attorney, Revocation Change of Correspondence Address Extension of Time Request Terminal Disclaimer Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s) _____ Certified Copy of Priority Document(s) Landscape Table on CD Reply to Missing Parts/ Incomplete Application**Remarks** Reply to Missing Parts under 37 CFR 1.52 or 1.53

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MOSER, PATTERSON & SHERIDAN LLP

Signature

Printed Name

KIN-WAH TONG

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KIRBY TURNER

Date

4/7/05

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**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

APR 07 2005

PATENT APPLICATION

Applicant: McNair et al.

Case: ATT-020PUS (ATT 2000-0540)

Serial No.: 09/924,022

Filed: August 7, 2001

Examiner: Beamer, Temica M.

Group Art Unit: 2681

Title: **A SIMULCASTING OFDM SYSTEM HAVING MOBILE STATION
LOCATION IDENTIFICATION**

MAIL STOP Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER
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4/7/05

Date

Kirby Turner

Signature

RESPONSE UNDER 37 C.F.R. §1.111

SIR:

In response to the Office Action dated January 14, 2005, having a shortened statutory period for response set to expire on April 14, 2005, please enter this response and reconsider the claims pending in the application for reasons discussed below. Although the Applicants do not believe any fees are due in connection with this response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782 for any fees, including additional extension of time fees, required to make this response timely and acceptable to the Office.